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**MAR 03 2006**

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March 3, 2006

**VIA FACSIMILE**  
**(Total No. of Pages Transmitted: 12 )**

**To: Roger L. Pang**  
**Primary Examiner, Group Art Unit: 3681**

Facsimile No.: 571-273-8300

**Randolph Reese**  
**Special Program Examiner**  
**U.S.P.T.O.**

**From: John J. Dresch, Esq.**

Facsimile No.: 703-761-2375


**Re: Enclosed Request for Mailing of "Official" Notice of Allowance and Statement of the Substance of Telephonic Interviews**  
**U.S. Patent Application No.: 10/657,060**  
**Attorney Docket No.: F05-185919M/MI**  
**Our Reference: NGB.080REI**

**Dear Primary Examiner Pang and Special Program Examiner Reese:**

Enclosed for filing is (1) a Request for Mailing of "Official" Notice of Allowance, and  
(2) a Statement of Substance of Telephonic Interviews, in the above-referenced application.

Thank you in advance for your kind consideration on this case.

Very truly yours,

  
John J. Dresch, Esq.  
Registration No. 46,672

JJD/SMM  
Enclosures

Docket No. F05-185919M/MI  
NGB.080REI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kazuo KANAZAWA

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Serial No.: 10/657,060

Group Art Unit: 3681

MAR 03 2006

Filed: September 8, 2003

Examiner: Pang, Roger L.

For: TRANSMISSION DEVICE OF A FOUR-WHEEL DRIVE VEHICLE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR MAILING OF**  
**"OFFICIAL" NOTICE OF ALLOWANCE**  
**IN REISSUE APPLICATION**

Sir:

Applicant respectfully requests that the "Official" Notice of Allowance in the above REISSUE APPLICATION be mailed, since only allowed claims are pending in the present Reissue Application and the Reissue Application clearly is in condition for immediate allowance.

An Office Action mailed March 31, 2005 indicated that **claims 1-14 and 16-19** would be allowable once a corrected supplemental oath/declaration under 37 C.F.R. § 1.175(b)(1) has been submitted.

A Second Amendment After-final under 37 C.F.R. § 1.116, a corrected supplemental oath/declaration under 37 C.F.R. § 1.175(b)(1), and a Statement of Substance of Interview, was filed on August 1, 2005, thereby overcoming the rejection under 35 U.S.C. § 251 and placing all of the pending claims (i.e., allowable claims **1-14 and 16-19**) in condition for immediate allowance.

Serial No. 10/657,060  
Docket No. F05-185919M/MI  
NGB.080REI

In the numerous telephone interviews and voice messages conducted following the filing of the above Second Amendment, Corrected Supplemental Oath/Declaration, and Statement of Substance of Interview, Applicant's representative inquired about the status of the Notice of Allowance in this case.

While numerous voice messages were directed to Primary Examiner, Roger L. Pang, and Special Program Examiner, Randolph Reese, from Applicant's representative, and vice versa, Applicant merely summarizes the telephonic interviews/conferences below.

In a telephone interview conducted on September 26, 2005, Examiner Pang stated that he approved the Notice of Allowance in the above Reissue Application and that the Notice of Allowance was now being reviewed by Special Program Examiner, Randolph Reese. Examiner Pang suggested that Applicant's representative contact Examiner Reese to confirm the status of the Notice of Allowance.

In a telephone interview conducted on September 29, 2005, Special Program Examiner, Randolph Reese, stated that the Notice of Allowance in the present Reissue Application would be reviewed in due course, in the order in which it was received.

In a telephone interview conducted on September 30, 2005, Special Program Examiner, Randolph Reese, confirmed that the Notice of Allowance issued by Examiner Pang was internally "counted" by the Patent Office on August 17, 2005, in the PALM system. However, the USPTO PAIR system did not show the Notice of Allowance being counted.

Examiner Reese stated that the expiration of the six (6) month statutory period had been tolled (i.e., stopped) by the counting of the Notice of Allowance in the USPTO

Serial No. 10/657,060  
Docket No. F05-185919M/MI  
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PALM system. Therefore, Examiner Reese stated that no further response from Applicant was necessary to maintain the pendency of the present application.

Applicant's Representative noted that a Notice of Appeal and a Petition for a three-month Extension of Time would be filed merely to ensure that the pendency of the present application was maintained until such time as the Notice of Allowance would be issued. Applicant filed a Notice of Appeal and Petition for a three-month Extension of Time on September 30, 2005.

Because the Examiner stated that the Notice of Allowance would be issued, Applicant detrimentally relied on the Examiners' statements and did not file an Appeal Brief. However, the Notice of Allowance was not issued.

In a telephone interview conducted on December 7, 2005, Special Program Examiner, Randolph Reese, stated that the Notice of Allowance would be reviewed and issued by the end of January 2006. Applicant again detrimentally relied on the Examiners' statements and did not file an Appeal Brief. However, the Notice of Allowance was not issued.

In a telephone interview conducted on January 19, 2006, Special Program Examiner, Randolph Reese, stated that more support staff had been hired to process the current "backlog" of Notice of Allowances. Special Program Examiner, Randolph Reese, also stated that only three (3) or four (4) other Notice of Allowances were in line to be reviewed prior to the Notice of Allowance for the present Reissue Application (i.e., the present Reissue Application was approximately fourth or fifth in line to be reviewed). Examiner Reese suggested that Applicant's Representative contact him in mid-February 2006, at which time the Examiner would have more information regarding the expected issue date of the Notice of Allowance in the present Reissue Application. Examiner

Serial No. 10/657,060  
Docket No. F05-185919M/MI  
NGB.080REI

Reese stated that the Notice of Allowance for the present Reissue Application likely would be reviewed and issued by the end of February 2006. Applicant again detrimentally relied on the Examiners' statements and did not file an Appeal Brief. However, the Notice of Allowance was not issued.

Applicant's Representative attempted to contact Special Program Examiner, Randolph Reese, on February 13, 2006 and March 1, 2006, to again check the status of the Notice of Allowance in this Reissue Application, but has not yet received a reply.

Applicant notes that the sixth (6) month due date for filing an Appeal Brief in the present Reissue Application will expire on March 30, 2006. Should the Notice of Allowance not be issued prior to March 30, 2006, Applicant will, to their detriment, incur the expense of preparing and filing an Appeal Brief and Petition for four (4) month Extension of Time, in order to maintain the pendency of the present Reissue Application, which otherwise is in condition for allowance and is merely awaiting review of the Notice of Allowance.


For at least the reasons outlined above, Applicant respectfully requests that the "Official" Notice of Allowance for the above-identified Reissue Application be officially entered into the record and mailed to Applicant's representative in accordance with standard U.S. Patent Office Reissue Application procedures, as soon as possible.

Serial No. 10/657,060  
Docket No. F05-185919M/MI  
NGB.080REI

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: March 3, 2006


  
John J. Dresch, Esq.  
Registration No. 46,672

Sean M. McGinn, Esq.  
Registration No. 34,386

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**CERTIFICATE OF TRANSMISSION**

I certify that I transmitted via facsimile to (571) 273-8300 the enclosed Request for Mailing of "Official" Notice of Allowance to Examiner Roger L. Pang, Art Unit 3681, and Randolph Reese, Special Program Examiner on March 3, 2006.

  
John J. Dresch, Esq.  
Registration No. 46,672

Docket No. F05-185919M/MI  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Kazuo KANAZAWA**

**Serial No.: 10/657,060**

**Group Art Unit: 3681**

**Filed: September 8, 2003**

**Examiner: Pang, Roger L.**

**For: TRANSMISSION DEVICE OF A FOUR-WHEEL DRIVE VEHICLE**

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**STATEMENT OF SUBSTANCE  
OF THE TELEPHONIC INTERVIEWS**

Sir:

Further to the Statement of the Substance of Interview filed on August 1, 2005,  
please review and enter the following remarks summarizing the ongoing telephonic  
interviews (and voice messages) conducted during the time period from September 19,  
2005 to the present date:

**INTRODUCTORY COMMENTS**

**Remarks begin on page 2 of this paper.**